

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL DALTON,

Plaintiff,

-against-

BOREDOM THERAPY LLC,

Defendant.

USDC SDNY
DOCUMENT
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18-CV-4735 (KBF) (BCM)

**ORDER SCHEDULING INITIAL
CASE MANAGEMENT CONFERENCE**

BARBARA MOSES, United States Magistrate Judge.

This action has been referred to Magistrate Judge Moses for general pretrial management, including scheduling, discovery, non-dispositive pretrial motions, and settlement, pursuant to 28 U.S.C. § 636(b)(1)(A). All non-dispositive pretrial motions and applications, including those related to scheduling and discovery, must be made to Judge Moses in compliance with this Court's Individual Practices, available on the Court's website at <http://nysd.uscourts.gov/judge/Moses>.

It appearing to the Court that no initial case management conference has yet taken place in this action, it is hereby **ORDERED** that an initial conference in accordance with Fed. R. Civ. P. 16 will be held on **September 26, 2018, at 10:00 a.m.**, in Courtroom 20A, 500 Pearl Street, New York, New York. At the conference, the parties must be prepared to discuss the subjects set forth in Fed. R. Civ. P. 16(b) and (c).

It is further **ORDERED** that counsel shall meet and confer in accordance with Fed. R. Civ. P. 26(f) no later than 21 days prior to the initial case management conference. No later than one week (seven calendar days) prior to the conference, the parties shall file a Pre-Conference Statement, via ECF, signed by counsel for all parties. The Statement, which will constitute the written report required by Fed. R. Civ. P. 26(f)(2), shall contain the following information:

1. The date of the conference and appearances for the parties, including the names of the individual attorneys who will attend, their law firms, addresses, and telephone

numbers, and the party or parties represented. The Court expects each party's principal trial attorney to attend the conference.

2. A concise statement of the nature of the case and the issues as they appear on the date of the Statement, including any issues as to jurisdiction or venue and any anticipated motions pursuant to Fed. R. Civ. P. 12(b) or (c).
3. A proposed deadline for joining additional parties, amending the pleadings, or moving for leave to do so.
4. A proposed discovery schedule including:
 - a. A date for exchanging the automatic disclosures required by Fed. R. Civ. P. 26(a)(1)(A), or the date on which such disclosures were accomplished;
 - b. Dates for the *service* of initial document production requests and interrogatories (limited in accordance with Local Civil Rule 33.3);
 - c. A date by which all fact depositions will be completed, including the names (if known) or descriptions of persons expected to be deposed;
 - d. A date for the close of all fact discovery;
 - e. Dates by which each party's expert report(s) or other expert disclosure, and any responding reports, will be supplied to the adversary;
 - f. A date for the close of all discovery, including expert depositions.
5. Any proposed limitations to be placed on discovery, including protective or confidentiality orders. The parties may (but are not required to) use the Model Protective Order found on the Court's website at <http://nysd.uscourts.gov/judge/Moses>.
6. Any anticipated discovery issues that may warrant early attention from the Court (including ESI protocols, litigation holds, and other issues relating to the preservation, retrieval and/or production of electronically stored information).
7. A date, approximately 30 days prior to the close of fact discovery, for a status conference with the Court.
8. When the case should be (a) referred to mediation or (b) scheduled for a settlement conference with the Court.
9. A date for the filing of summary judgment motions.
10. The anticipated length of trial and whether a jury has been requested.
11. Whether the parties wish to consent to trial before the designated magistrate judge.

To the extent the parties are in disagreement concerning any portion of the Pre-Conference Statement, they may submit separate proposals as to such portion, *without argument*.

Dated: New York, New York
August 13, 2018

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge